



ORDINANCE NO. 3693

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT FOR VEHICLE SALES AND LEASING (USED) RELATING TO THE USE AND DEVELOPMENT OF 8.364± ACRES OUT OF THE ELISHA FIKE SURVEY NO. 478 MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” HERETO, COMMONLY KNOWN AS 14325 GILLIS ROAD AND LOCATED WITHIN A LIGHT INDUSTRIAL (LI) ZONING DISTRICT; ADOPTING DEVELOPMENT REGULATIONS, A DETAILED SITE PLAN, A LANDSCAPE PLAN, ELEVATIONS, AND A FLOOR PLAN; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR TERMINATION UNDER CERTAIN CIRCUMSTANCES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity; the governing body, in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

SECTION 1. The Comprehensive Zoning Ordinance and zoning map of the City of Farmers Branch, Texas, be, and the same is hereby amended, so as to grant a change in zoning by granting a Specific Use Permit for Vehicle Sales and Leasing (Used) for 8.364± acres out of the Elisha Fike Survey, Abstract No. 478, City of Farmers Branch, Dallas County, Texas, described in Exhibit “A”, attached hereto and incorporated hereto by reference (“the Property”) and located within a Light Industrial (LI) Zoning District, subject to the conditions set forth in Section 2 of this Ordinance.

SECTION 2. The Property shall conform in operation, location and construction to the development standards specified within the Light Industrial (LI) Zoning District and, if used for the purpose of using the Property for Vehicle Sales and Leasing (Used), such use shall comply with the following:

- A. **Detailed Site Plan:** The development of the Property shall substantially conform to the Detailed Site Plan attached hereto as Exhibit “B” and incorporated herein by reference (“Detailed Site Plan”), subject to the following:
- (1) **Interior Area:** Only the southern 98,500 square feet of the building located on the Property and identified on the Detailed Site Plan as “Suite 100” may be used for Vehicle Sales and Leasing (Used); and
 - (2) **Exterior Area:** Only the exterior of the Property located within the area to be fenced (as shown on the Detailed Site Plan) and south of the building located on the Property may be used for Vehicle Sales and Leasing (Used); provided, however, employees and customers of the Vehicle Sales and Leasing (Used) business may park within the parking areas shown on the Detailed Site Plan located outside of said fenced area.
- B. **Landscaping:** Landscaping shall be installed in accordance with the Landscape Plan attached hereto as Exhibit “C” and incorporated herein by reference (“Landscape Plan”). All required landscaping identified on the Landscape Plan shall be installed with related irrigation system prior to issuance of a Certificate of Occupancy for use of the Property for Vehicle Sales and Leasing (Used).
- C. **Elevations:** Prior to issuance of a Certificate of Occupancy for use of the Property for Vehicle Sales and Leasing (Used):
- (1) All buildings on the Property, including the portion of the building used for Vehicle Sales and Leasing (Used) shall be modified to appear substantially in accordance with the elevations attached hereto as Exhibit “D” and incorporated herein by reference (“Elevations”);
 - (2) The loading dock overhead doors on the south side of the building, except the two (2) most southwesterly doors, must be disabled and not usable; and
 - (3) The loading dock overhead doors on the east side of the building, except the one (1) most northwesterly door, must be disabled and not usable; and
 - (4) The loading dock overhead doors on the west side of the building must be disabled and not usable.
- D. **Parking:** The Property shall be developed with no fewer than one (1) surface parking space for each 2,000 square feet of building floor space for buildings located on the Property as shown on the Detailed Site Plan. Indoor parking areas shall not be included in determining the minimum number of off-street parking spaces required.
- E. **Screening:** Installation on the Property of an eight-foot (8.0’) tall black powder coated opaque fence shall be completed at the location shown on the Detailed Site Plan prior to

issuance of a Certificate of Occupancy for use of the Property for Vehicle Sales and Leasing (Used).

F. Floor Plan: The interior of the portion of the building used for the Vehicle Sales and Leasing (Used) business shall be laid out generally as shown on Exhibit “E”, attached hereto and incorporated herein by reference; provided, the area within the building used for storing of vehicle inventory shall not exceed 90% of the total ground floor area of the building allowed to be used for Vehicle Sales and Leasing (Used) purposes.

G. Prohibited Activities: The following activities are prohibited on the Property:

- (1) Vehicle maintenance or vehicle repair business; provided that vehicle make-ready and washing and/or cleaning services occurring solely within the building or within the fenced area of the Property shown on the Detailed Site Plan shall not be prohibited if the services are performed by employees of the Vehicle Sales and Leasing (Used) business on vehicles held in inventory or vehicles that have been sold and being readied for delivery to the buyer;
- (2) Outdoor storage of vehicles that are part of the inventory for the Vehicle Sales and Leasing (Used) business;
- (3) Enclosed vehicle storage for a fee; and
- (4) Any type of residential use, regardless of length of use.

SECTION 3. The Property shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended and as amended herein.

SECTION 4. The provisions of this ordinance shall be controlling with respect to the use and development of the Property for the purposes authorized in Sections 1 and 2, above. In the event of any irreconcilable conflict with the provisions of any other ordinances of the City of Farmers Branch, the provisions of this ordinance shall be controlling.

SECTION 5. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 7. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning

Ordinance of the City of Farmers Branch, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 8. This Ordinance and the right to use the Property in accordance with the Specific Use Permit granted pursuant to Section 1 of this Ordinance is subject to termination in accordance with Section 6.5.C. of the Comprehensive Zoning Ordinance, as amended.

SECTION 9. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THIS THE 13TH DAY OF JULY 2021.

ATTEST:

APPROVED:

Amy Piukana, City Secretary

Robert C. Dye, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:7/6/21:123157)

Ordinance No. 3693
Exhibit “A” – Description of the Property

8.364 ACRES OUT OF THE ELISHA FIKE SURVEY, ABSTRACT NO. 478, SITUATED IN THE CITY OF FARMERS BRANCH, DALLAS COUNTY, TEXAS, AND BEING A PORTION OF LOTS 3 AND 5 AND ALL OF LOT 4, BLOCK 4, METROPOLITAN INDUSTRIAL PARK SECTION FOUR – THIRD INSTALLMENT, A SUBDIVISION OF RECORD IN VOLUME 74041, PAGE 645, OF THE PLAT RECORDS OF DALLAS COUNTY, TEXAS; SAID 8.364 ACRE TRACT BEING A PORTION OF THAT CERTAIN 12.395 ACRE TRACT CONVEYED TO SHEARES ASSETS LOGISTICS LLC, BY DEED OF RECORD IN DOCUMENT NO. 201900061985, OF THE OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS; SAID 8.364 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, for reference, at a 1/2-inch iron rod found in the east line of that certain 1.5225 acre tract conveyed to Proton 13 Management LLC, by Deed of record in Document No. 201700249481, of said Official Public Records and the east line of Block F, Metropolitan Business Park, Section Five, a subdivision of record in Volume 72192, Page 602, of said Plat Records, also being in the west line of Lot 6, of said Block 4, for the northwest corner of said 12.395 acre tract;

THENCE, S 00° 29' 15" E, along the east line of said Block F, being the west line of said Lots 5 and 6 and said 12.395 acre tract, a distance of 354.80 feet to a calculated point, for the POINT OF BEGINNING and northwesterly corner hereof;

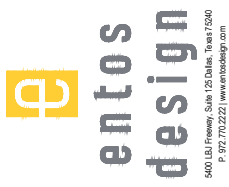
THENCE, N 89° 27' 54" E, leaving the east line of said Block F, over and across said Lot 5 and said 12.395 acre tract, a distance of 495.50 feet to a calculated point in the east line of said Lot 5 and said 12.395 acre tract, being the west line of Gillis Road (60-foot R.O.W.), for the northeasterly corner hereof;

THENCE, S 00° 30' 51" E, along said west right-of-way line of Gillis Road, being the east line of said Lots 3-5, Block 4, a distance of 735.03 feet to a 1/2-inch iron rod with “Dashner RPLS 5901” stainless steel cap set at the northeast corner of Tract B, Sysco First Addition, a subdivision of record in Volume 82222, Page 2766, of said Plat Records, for the southeasterly corner hereof, from which a 1/2-inch iron rod found at the southeast corner of said Tract B bears S 00° 30' 51" E, a distance of 245.01 feet;

THENCE, S 89° 27' 12" W, leaving said west right-of-way line, over and across said Lot 3, along the north line of said Tract B, a distance of 495.84 feet to a 1/2-inch iron rod found at the northwest corner of said Tract B, being in the east line of Lot 1, Block A, Capri Park, a subdivision of record in Volume 98039, Page 75, of said Plat Records, also being the east line of said Block F, for the southwesterly corner hereof;

THENCE, N 00° 29' 15" W, along the east line of said Block F, being the west line of said Lots 3-6, Block 4, a distance of 735.14 feet to the POINT OF BEGINNING, and containing 8.364 acres (364,353 square feet) of land, more or less.

Ordinance No. 3693
Exhibit "B" - Detailed Site Plan



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P: 972.701.2221 www.entosdesign.com

ISSUED FOR PRELIMINARY
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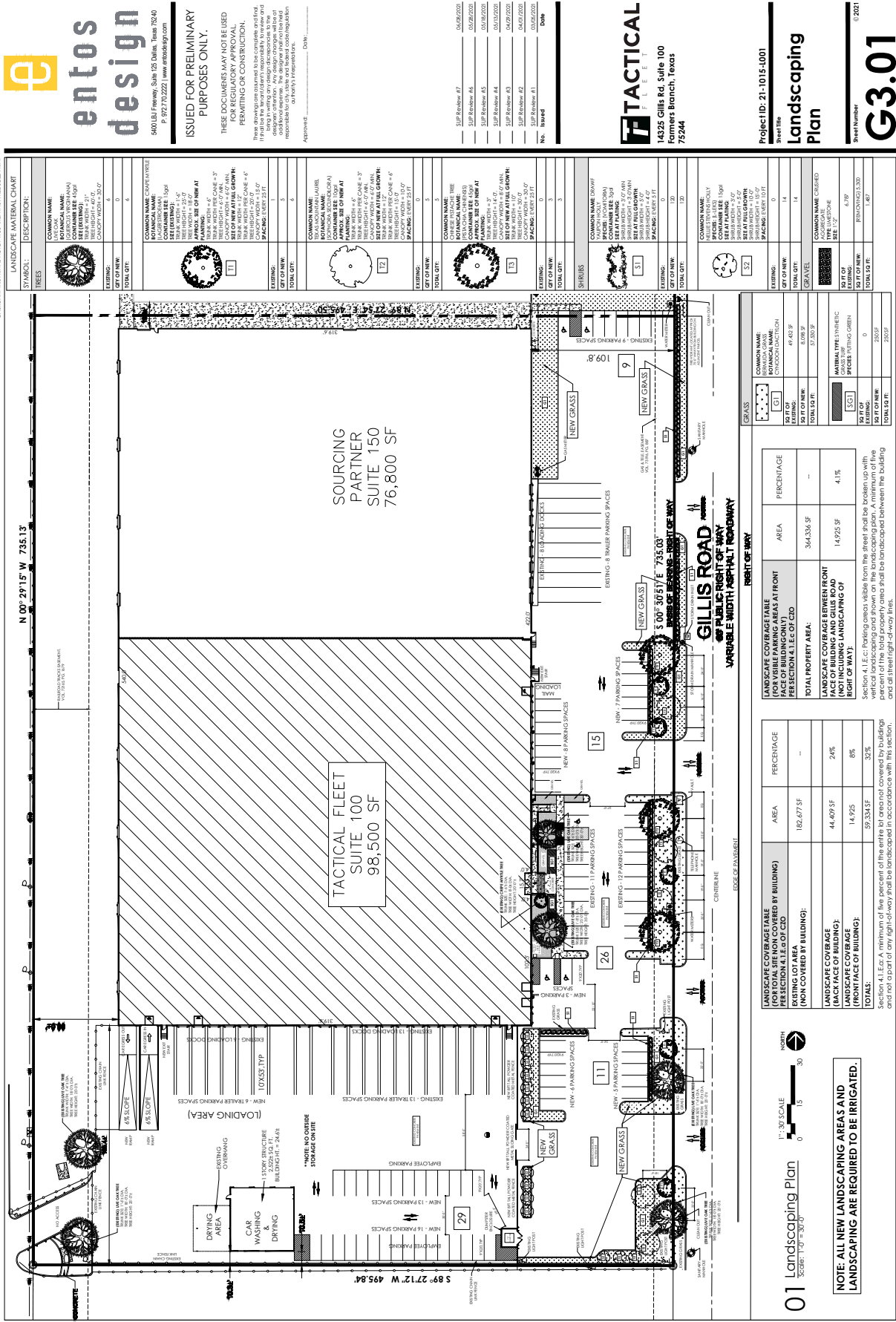
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designer. The construction is the
responsibility of the contractor. The
designer is not responsible for the
accuracy of the information provided
for this project.

Approved: _____ Date: _____

1	SUP Review #7	04/08/2021
2	SUP Review #6	05/28/2021
3	SUP Review #5	05/18/2021
4	SUP Review #4	05/13/2021
5	SUP Review #3	04/29/2021
6	SUP Review #2	04/01/2021
7	SUP Review #1	03/05/2021
8	Issued	

Ordinance No. 3693
Exhibit "C" - Landscape Plan





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COMMON NAME	SP. Kestrel #7	06/09/2020
BOTANICAL NAME	SP. Kestrel #5	02/26/2020
CONTAINER SIZE (inches)	SP. Kestrel #4	02/26/2020
HEIGHT (feet)	SP. Kestrel #3	02/26/2020
WIDTH (feet)	SP. Kestrel #2	02/26/2020
DEPTH (feet)	SP. Kestrel #1	02/26/2020
NO. PLANTED	SP. Kestrel #1	02/26/2020



14325 Gillis Rd, Suite 100
Dallas, Texas 75244

Project ID: 21-1015-1001

Sheet Title: Landscaping Plan

Sheet Number: G3.01

Ordinance No. 3693
Exhibit "D" – Elevations



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Approved: _____ Date: _____



14325 Gills Rd, Suite 100
Dallas, Texas 75244

Project ID: 21-1015-1001

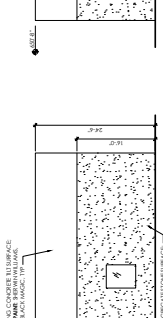
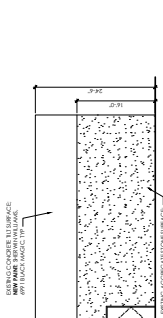
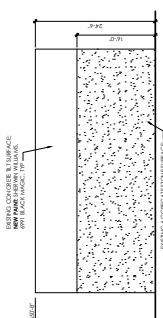
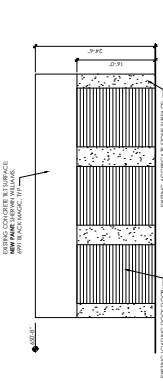
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Sheet Number

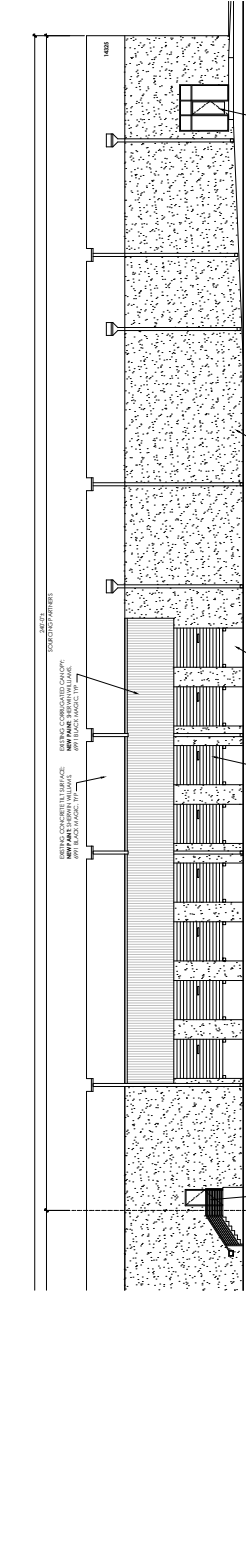
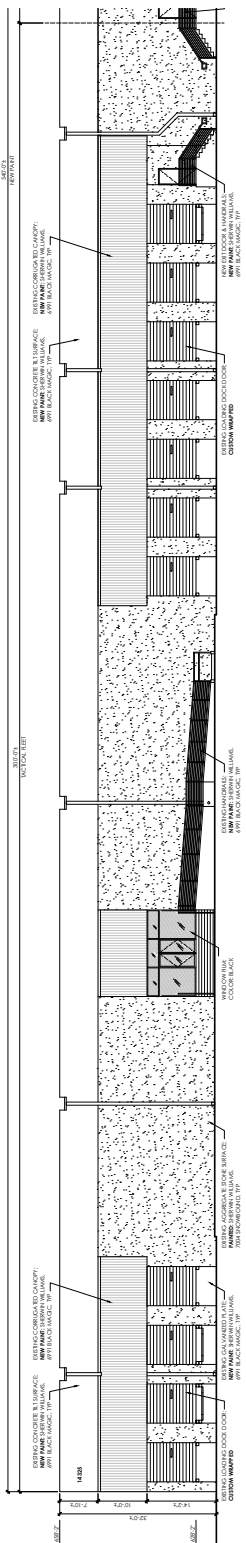
G4.01

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CAUTION: IF THIS PRINT IS NOT 24" X 36" TIGHT IT IS A REDUCED PRINT



02 Accessory Building - North Elevation
03 Accessory Building - East Elevation
04 Accessory Building - West Elevation
05 Accessory Building - South Elevation



01 East/ Front Elevation

PREPARED BY: RAT
CHECKED BY: RAT

Ordinance No. 3693
Exhibit "D" – Elevations cont.



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design

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TACTICAL
ARCHITECTS

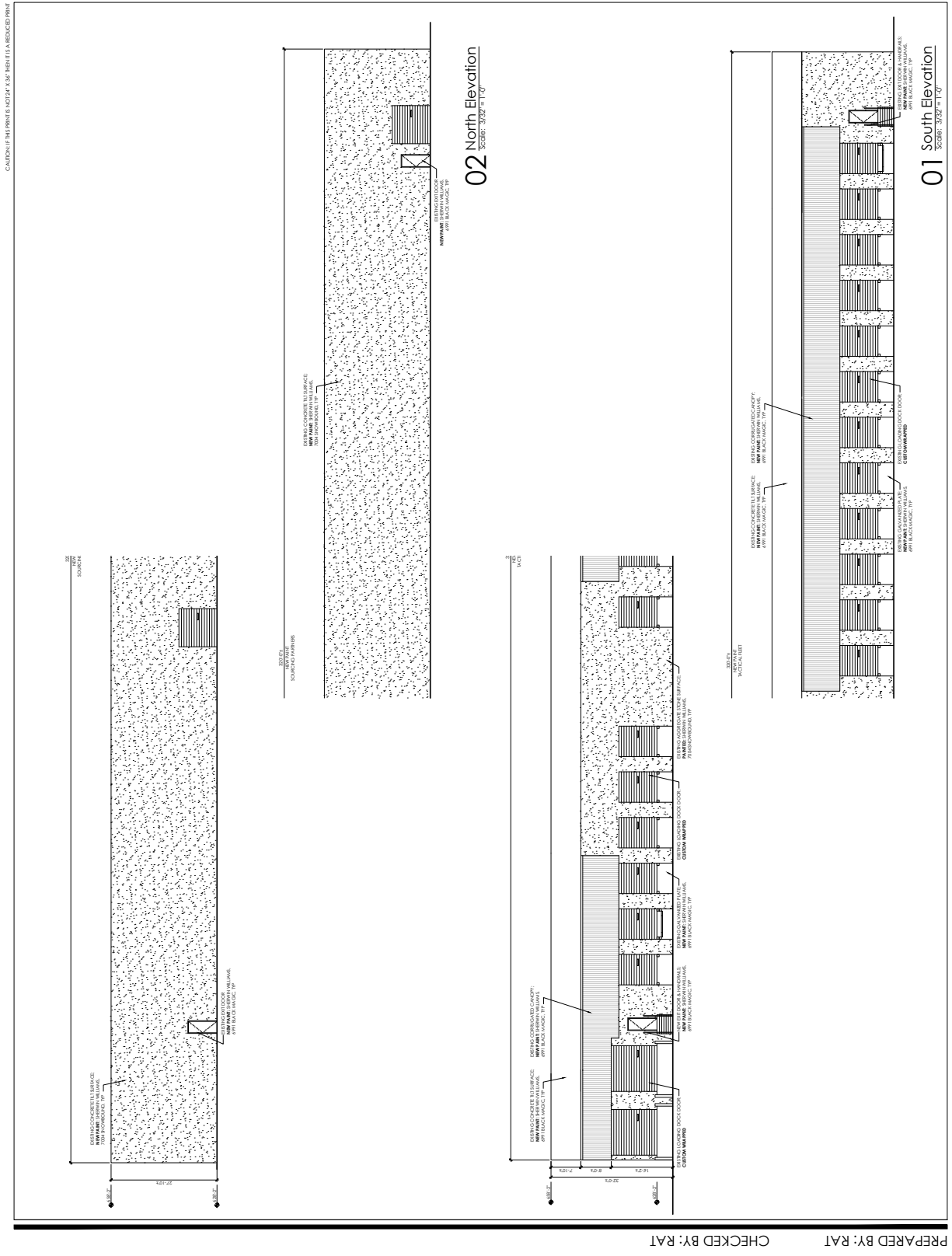
14325 Gills Rd, Suite 100
Dallas, Texas 75244

Project ID: 21-1015-1001

Sheet Title
Elevations

Sheet Number
G4.02

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PREPARED BY: TNW

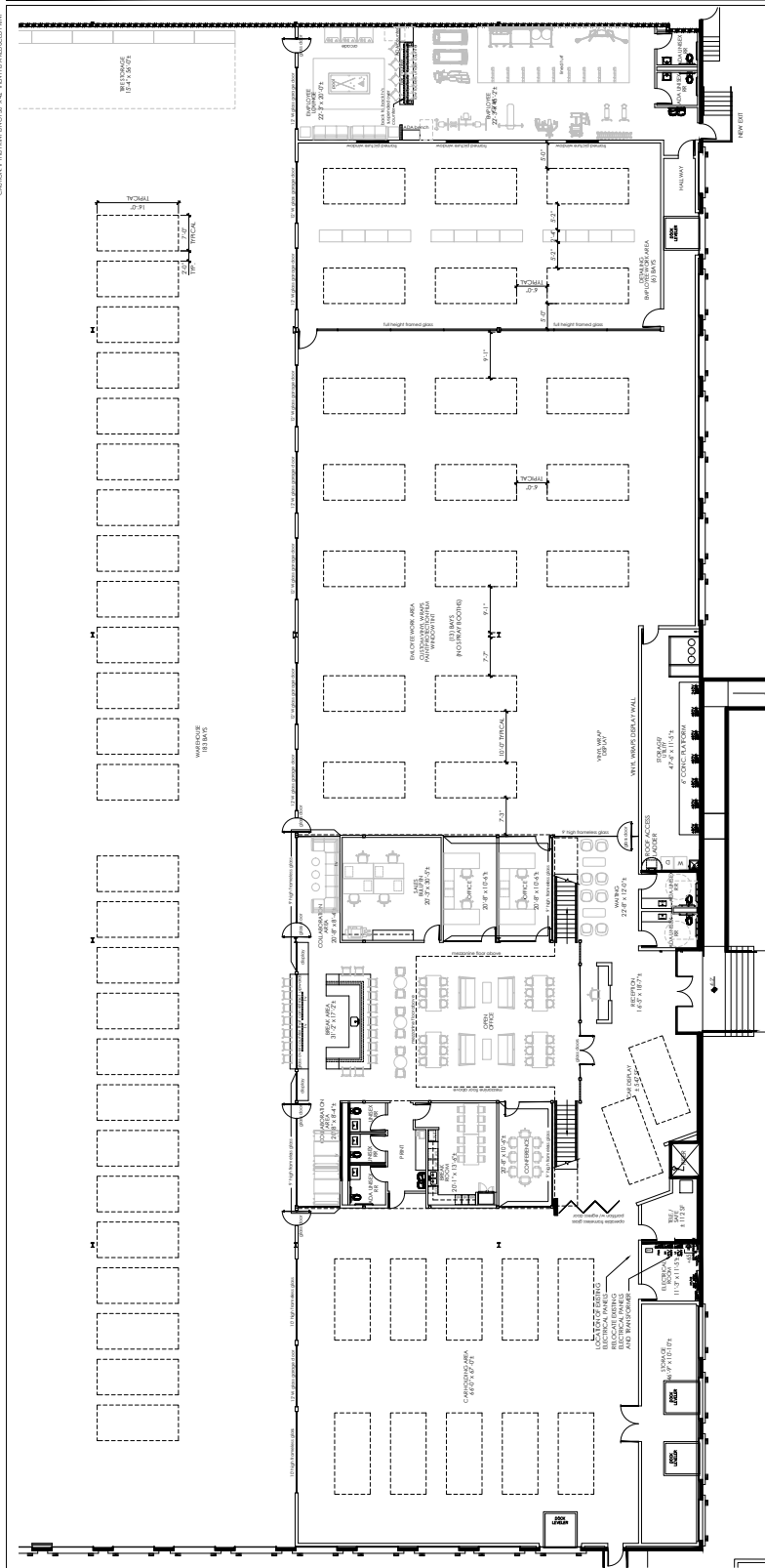
PREPARED BY: TNW
CHECKED BY: BM/RT



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These drawings are assumed to be complete and final, and the licensor/owner is responsible for any review and being in writing any/all discrepancies to the licensor/owner's attention. Any design changes will be held additional professional expense. The designer shall not be held responsible for city, state and federal code/regulation authority interpretations.

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LEGEND

ALL SYMBOLS MUST APPLY

GENERAL	
1000	ROOM NUMBER
OFFICE	ROOM NAME
PHONE	PHONE NUMBER
+	WALL LINE WITH LINE OFF
VALVE	VALVE
FIRE EXTINGUISHER W/	FIRE EXTINGUISHER W/
CABINET	CABINET
REC	REC
Q	Q

DUTING PARTITION	OUTLINE PARTITION
NEW PARTITION	NEW PARTITION
INSULATION W/	INSULATION W/
SOUND INSULATION	SOUND INSULATION
PARTITION WITH SOUND	PARTITION WITH SOUND
INSULATION	INSULATION
ONE FOUR PARTITION W/	ONE FOUR PARTITION W/
TWO PARTITION W/	TWO PARTITION W/
SOUND INSULATION	SOUND INSULATION
SIGHT WINDOW	SIGHT WINDOW

FLOOR REQUIREMENTS		REQUIRED	ACTUAL
MEN'S RESTROOM		4	4
WATER CLOSETS		4	4
WOMEN'S RESTROOM		REQUIRED	ACTUAL
WATER CLOSETS		4	4
WATER CLOSETS		4	4
DRINKING FOUNTAIN		3	4

CODE COMPLIANCE	
MACHINERY	2007 EC
SAFETY	2008 PC
MECHANICAL	2008 MAC
CONSTRUCTION	2007 CEC
ELECTRICAL	2007 NEC
ENERGY	2008 ECCC
ACCESSIBILITY	2002 IAS
OTHER	
FULLY FIRED SPINWHEEL	YES
WARRANTY TYPE	WARRANTY
OCCUPANCY GROUP	23, 200
OFFICE USE	3, 225
NEUTRAL	3, 225

Practical Electricity
325 Gillis Rd
Farmers Branch, Texas
244

Project ID: 21-1015-L001

Sheet Title

Floor Plan

1.4 - 2